IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

Bail Appl..No. 1130 of 2007

CC.244/2005 of J.M.F.C.-III,PALAKKAD
CRIME NO.386/2005 OF PALAKKAD TOWN SOUTH POLICE STATION

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PETITIONER/ACCUSED.

RAJESH, S/O.APPUNNI,
KUNNATHURMADU,
PALAKKAD DISTRICT.

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION, PALAKKAD
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1130/2006

Dated this 22nd day of February, 2007

O R D E R

Petitioner, who is the accused in Crime No. 386/2005 of Palakkad Town South Police Station for offences punishable under Sections 341, 294(b) and 323 IPC seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.244/2005 on the file of the J.F.C.M-III, Palakkad, non bailable warrants of arrest are pending against the petitioner. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

3. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after examining the explanation offered by the petitioner for his previous non appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs